

1 10A NCAC 14C .2101 is proposed for amendment as follows:
2

3 **SECTION .2100 – CRITERIA AND STANDARDS FOR SURGICAL SERVICES AND OPERATING**
4 **ROOMS**

5
6 **10A NCAC 14C .2101 DEFINITIONS**

7 The following definitions apply to all rules in this Section:

- 8 (1) ~~"Ambulatory surgical facility" means a facility as defined in G.S. 131E-176(1b).~~ "Approved
9 operating rooms" means those operating rooms that were approved for a certificate of need by the
10 Healthcare Planning and Certificate of Need Section (Agency) prior to the date on which the
11 applicant's proposed project was submitted to the Agency, but that have not been licensed.
- 12 (2) ~~"Operating room" means a room as defined in G.S. 131E-176(18c), which includes an inpatient~~
13 ~~operating room, an outpatient or ambulatory surgical operating room, or a shared operating room.~~
14 "Dedicated C-section operating room" means an operating room as defined in Chapter 6 in the 2018
15 State Medical Facilities Plan. For purposes of this Section, Chapter 6 in the 2018 State Medical
16 Facilities Plan is hereby incorporated by reference including subsequent amendments and editions.
17 This document is available at no cost at <https://www.ncdhhs.gov/dhsr/ncsmfp/index.html>.
- 18 (3) ~~"Ambulatory surgical program" means a program as defined in G.S. 131E-176(1e).~~ "Existing
19 operating rooms" means those operating rooms in ambulatory surgical facilities and hospitals that
20 were reported in the Ambulatory Surgical Facility License Renewal Application Form or in the
21 Hospital License Renewal Application Form submitted to the Acute and Home Care Licensure and
22 Certification Section of the Division of Health Service Regulation, and that were licensed prior to
23 the beginning of the review period.
- 24 (4) ~~"Dedicated cesarean section operating room" means an operating room as defined in the applicable~~
25 ~~State Medical Facilities Plan.~~ "Health System" shall have the same meaning as defined in Chapter
26 6 in the 2018 State Medical Facilities Plan.
- 27 (5) ~~"Existing operating rooms" means those operating rooms in ambulatory surgical facilities and~~
28 ~~hospitals which were reported in the License Application for Ambulatory Surgical Facilities and~~
29 ~~Programs and in Part III of Hospital Licensure Renewal Application Form submitted to the Acute~~
30 ~~and Home Care Licensure and Certification Section of the Division of Health Service Regulation~~
31 ~~and which were licensed and certified prior to the beginning of the review period.~~ "Operating room"
32 means a room as defined in G.S. 131E-176(18c).
- 33 (6) ~~"Approved operating rooms" means those operating rooms that were approved for a certificate of~~
34 ~~need by the Certificate of Need Section prior to the date on which the applicant's proposed project~~
35 ~~was submitted to the Agency but that have not been licensed.~~ "Operating Room Need Methodology"
36 means the Methodology for Projecting Operating Room Need in Chapter 6 in the 2018 State Medical
37 Facilities Plan.

- 1 (7) ~~"Multispecialty ambulatory surgical program" means a program as defined in G.S. 131E-176(15a).~~
2 ~~"Service area" means the Operating Room Service Area as defined in Chapter 6 in the 2018 State~~
3 ~~Medical Facilities Plan.~~
- 4 (8) ~~"Outpatient or ambulatory surgical operating room" means an operating room used solely for the~~
5 ~~performance of surgical procedures which require local, regional or general anesthesia and a period~~
6 ~~of post operative observation of less than 24 hours.~~
- 7 (9) ~~"Related entity" means the parent company of the applicant, a subsidiary company of the applicant~~
8 ~~(i.e., the applicant owns 50 percent or more of another company), a joint venture in which the~~
9 ~~applicant is a member, or a company that shares common ownership with the applicant (i.e., the~~
10 ~~applicant and another company are owned by some of the same persons).~~
- 11 (10) ~~"Service area" means the Operating Room Service Area as defined in the applicable State Medical~~
12 ~~Facilities Plan.~~
- 13 (11) ~~"Shared operating room" means an operating room that is used for the performance of both~~
14 ~~ambulatory and inpatient surgical procedures.~~
- 15 (12) ~~"Specialty area" means an area of medical practice in which there is an approved medical specialty~~
16 ~~certificate issued by a member board of the American Board of Medical Specialties and includes~~
17 ~~the following: gynecology, otolaryngology, plastic surgery, general surgery, ophthalmology,~~
18 ~~urology, orthopedics, and oral surgery.~~
- 19 (13) ~~"Specialty ambulatory surgical program" means a program as defined in G.S. 131E-176(24e).~~
- 20 (14) ~~"Surgical case" means an individual who receives one or more surgical procedures in an operating~~
21 ~~room during a single operative encounter.~~

22

23 *History Note: Authority G.S. 131E-177(1); 131E-183(b);*
24 *Eff. November 1, 1990;*
25 *Amended Eff. March 1, 1993;*
26 *Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent rule*
27 *becomes effective, whichever is sooner;*
28 *Amended Eff. January 4, 1994;*
29 *Temporary Amendment Eff. January 1, 1999;*
30 *Temporary Eff. January 1, 1999 Expired on October 12, 1999;*
31 *Temporary Amendment Eff. January 1, 2000;*
32 *Temporary Amendment effective January 1, 2000 amends and replaces a permanent rulemaking*
33 *originally proposed to be effective August 2000;*
34 *Amended Eff. April 1, 2001;*
35 *Temporary Amendment Eff. January 1, 2002; July 1, 2001;*
36 *Amended Eff. August 1, 2002;*

1 *Temporary Amendment effective January 1, 2002 amends and replaces the permanent rule effective*
2 *August 1, 2002;*
3 *Amended Eff. April 1, 2003;*
4 *Temporary Amendment Eff. January 1, 2005;*
5 *Amended Eff. November 1, 2005;*
6 *Temporary Rule Eff. February 1, 2006;*
7 *Amended Eff. November 1, 2006;*
8 *Temporary Amendment Eff. February 1, 2008;*
9 *Amended Eff. November 1, 2008.*
10 *Temporary Amendment Eff. February 1, ~~2018-2018~~;*
11 *Amended Eff. December 1, 2018.*